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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,381	07/25/2003	Kenneth Willian	128534-06201 (07028797)	3909
26565	7590	10/15/2009		
MAYER BROWN LLP P.O. BOX 2828 CHICAGO, IL 60690			EXAMINER JOO, JOSHUA	
			ART UNIT 2454	PAPER NUMBER
			NOTIFICATION DATE 10/15/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocket@mayerbrown.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/627,381	<b>Applicant(s)</b> WILLIAN ET AL.	
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,6,12,14,16 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,6,12,14,16 and 21-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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### ***Detailed Action***

This Office action is in response to Applicant's communication filed on 06/04/2009.

Claims 1, 3, 6, 12, 14, 16, 21-26 are pending for examination.

### **Response to Arguments**

Applicant's arguments filed 06/04/2009 have been fully considered but they are not persuasive.

Applicant argued that:

(1) Cited portions of the references do not teach conversion to a plurality of formats.

In response, Examiner respectfully disagrees that cited portions of the references do not teach conversion to a plurality of formats. Crook teaches of converting word processing documents to HTML documents. Word processing documents generally comprise different arrangement of data, i.e. each document is different, and thus, the converted word processing documents would result in a different arrangement of data in HTML. For instance in Crook, wording processing documents comprise different content such as course content and examination questions (Paragraph 0026), and as such, the arrangement and organization of the documents are different. The conversion of the wording processing documents would result in a different arrangement in corresponding HTML documents, e.g. figs. 2-3. The arrangement of text and links in a converted document with course content would not be the same as converted document with examination questions.

Stuppy also teaches of converting a plurality of deliverables to a plurality of different formats. Stuppy teaches that a student's profile may comprise various information including ethnic background and language (Paragraphs 0066). Stuppy teaches that instruction materials can be customized for each student based on a student's profile and that materials can be presented in a native language of a student such as converting material into Spanish (Paragraph 0067). This would suggest that students with

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different languages may result in materials being transformed to the different languages, i.e. different formats.

(2) Regarding claim 21 and 24, Crook does not teach wherein the correspondent associated format to which to convert the associated content item is external to the content item.

In response, Examiner respectfully disagrees that Crook does not teach the feature. While Crook teaches that the document contains formatting codes, the corresponding associated format is the HTML format, and the HTML format codes are not part of the document. The formatting codes have corresponding HTML codes.

(3) Claims 23 and 26 require an active translation of text of a content item and not simply a display of a stored different version of content. Presumably, the instructional material of Stuppy is stored in multiple versions. One of these versions is then displayed based on setting in a student's profile.

In response, Examiner respectfully disagrees with Applicant's interpretation of Stuppy. Stuppy teaches "Existing instructional materials can be customized for each student" and "the system of the present invention can access other student information databases, e.g., public and private school databases, to determine/retrieve student profile data and to transform the existing instruction material commensurate with the instructional needs of the students" (Paragraph 0067). Stuppy teaches that based on a student's need and profile, existing material is customized and transformed, which would suggest the material is not just a stored material. Stuppy specifically teaches that existing material is transformed, i.e. converted, and the existing material is transformed since the language of the student is different from the language of the existing material.

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**Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 6, 12, 16, 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crook, US Publication #2003/0177203 (Crook hereinafter), in view of in view of Stuppy, US Publication #2003/0054328 (Stuppy hereinafter) and Ladd et al. US Publication #2004/0024897 (Ladd hereinafter).

As per claim 1, Crook teaches substantially the invention as claimed including a method for converting deliverables, the method comprising:

preparing a plurality of deliverables for conversion to a plurality of different formats suitable for presentation, each deliverable including an associated content item and a corresponding associated format to which to convert the associated content item (Paragraphs 0020-0021; 0024-0025. Deliver documents comprising course content and questions comprising information content associated with format codes for conversion to HTML.);

converting the associated content items, whereby “the system” converts the associated content item to the corresponding associated format (Paragraphs 0022, 0024. Translate document comprising formatting codes into HTML codes. Generate links for special codes.);

compiling the converted deliverables for distribution over a plurality of deliverable channels (Paragraph 0025. Translation of documents comprising codes results in HTML document.);

posting the converted deliverables as content to the delivery channels; and delivering the content to a plurality of presentation devices (fig. 6. #230 Students. Page 5, claim 6. Deliver test to one or more person over network. Paragraph 0057. Documents delivered to students.).

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Crook does not specifically teach that each corresponding associated format includes at least one specified translated human language. Crook teaches of converting associated content items to corresponding associated formats but does not specifically teach of converting using a plurality of parallel processing threads, each thread corresponding to an associated deliverable, whereby each thread converts the associated content item to the corresponding associated format by using a plurality of parallel processing threads.

Stuppy teaches of converting deliverables to formats suitable for presentation, wherein associated content items include at least one specified translated human language (Paragraph 0067. Material is customized for each student. Transform material to Spanish.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the associated formats to include at least one specified translated human language. The motivation is that Stuppy's teachings would improve Crook's system by providing customized material to each student based on each of the student's profile and enabling a teacher to individually interact with students over a communication channel (Paragraph 0015).

Ladd teaches a system for transforming input data in a first format to output data in a second format, wherein a plurality of threads execute in parallel to format the input data to produce corresponding output format (fig. 1; Paragraph 0013).

It would have been obvious to one of ordinary in the art at the time the invention was made to combine the teachings convert the associated content items to a corresponding associated formats as taught by Crook by using a plurality of parallel processing threads, wherein each thread converts data in a first format to a corresponding second format as taught by Ladd. The motivation for the suggested combination is that Ladd's teachings of a plurality of parallel processing threads would improve the performance of the suggested system by allowing simultaneous execution of processes and allowing scalability of the system (Paragraph 0020).

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As per claim 12, Crook teaches substantially the invention as claimed including a method for conversion of deliverables, the method comprising:

providing a user interface that enables a user to enter a request for converting a plurality of different deliverables to a plurality of formats suitable for presentation, each deliverable including an associated content item and a corresponding associated format to which to convert the associated content item (Paragraph 0020. Instructor delivers document for conversion. Paragraphs 0020-0021; 0024-0025. Deliver documents comprising course content and questions for conversion comprising information content associated with format codes.);

preparing the associated content items for conversion based on the corresponding associated formats (Paragraphs 0020-0021; 0025. Deliver document for conversion, which comprises information content and format codes including special codes. "preparing" considered as a process of creating, retrieving, or extracting content for conversion. Paragraph 0023. Determine, i.e. "preparing", HTML code for formatting code.);

converting the associated content items, whereby "a device" converts the associated content item to the corresponding associated format (Paragraph 0022. Translate formatting codes into HTML codes. Paragraph 0024. Generate links for special codes.);

compiling the converted deliverables for distribution over a plurality of delivery channels (Paragraph 0025. Translation of documents comprising codes results in HTML document.); and

posting the converted deliverables as content to the delivery channels; and delivering the content to a plurality of presentation devices (fig. 6. #230 Students. Page 5, claim 6. Deliver test to one or more person over network. Paragraph 0057. Deliver documents to students.).

Crook does not specifically teach each corresponding associated formats including at least one specified translated human language. Crook teaches of converting associated content items to

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corresponding associated formats but does not specifically teach of converting using a plurality of parallel processing threads, each thread corresponding to an associated deliverable, whereby each thread converts the associated content item to the corresponding associated format by using a plurality of parallel processing threads.

Stuppy teaches of converting deliverables to formats suitable for presentation, wherein associated content items includes at least one specified translated human language (Paragraph 0067. Material is customized for each student. Transform material to Spanish.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the associated formats to include at least one specified translated human language. The motivation is that Stuppy's teachings would improve Crook's system by providing customized material to each student based on each of the student's profile and enabling a teacher to individually interact with students over a communication channel (Paragraph 0015).

Ladd teaches a system for transforming input data in a first format to output data in a second format, wherein a plurality of threads execute in parallel to format the input data to produce corresponding output format (fig. 1; Paragraph 0013).

It would have been obvious to one of ordinary in the art at the time the invention was made to combine the teachings convert the associated content items to a corresponding associated formats as taught by Crook by using a plurality of parallel processing threads, wherein each thread converts data in a first format to a corresponding second format as taught by Ladd. The motivation for the suggested combination is that Ladd's teachings of a plurality of parallel processing threads would improve the performance of the suggested system by allowing simultaneous execution of processes and allowing scalability of the system (Paragraph 0020).



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As per claim 6, Crook teaches the invention of claim 1, further comprising receiving a request from a user to convert the plurality of deliverables to the plurality of formats suitable for presentation (Paragraphs 0020-0022. Convert document comprising of information content and format codes to HTML codes.) and transmitting the converted deliverables (fig. 6. #230 Students. Page 5, claim 6. Paragraph 0057.). Crook does not specifically teach the request including a selected delivery channel over which to distribute the converted deliverables.

Stuppy teaches a system for network based education, wherein an instructor may select a communication channel to communicate with student stations (claim 1; paragraph 0016) and transmit converted data (text to audio) to student stations (Paragraph 0054).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the request to include a selected delivery channel to distribute converted content as taught Stuppy. The motivation for the suggested combination is that Stuppy's teachings would improve the suggested system by enabling an instructor to interactively communicate with students individually to provide assistance on an individual basis.

As per claim 16, Crook teaches the invention of claim 12, further comprising receiving a request from a user to convert the plurality of deliverables to the plurality of formats suitable for presentation (Paragraphs 0020-0022. Convert document comprising of information content and format codes to HTML codes.) and transmitting the converted deliverables (fig. 6. #230 Students. Page 5, claim 6. Paragraph 0057.). Crook does not specifically teach the request including a selected delivery channel over which to distribute the converted deliverables.

Stuppy teaches a system for network based education, wherein an instructor may select a communication channel to communicate with student stations (claim 1; paragraph 0016) and transmit converted data (text to audio) to student stations (Paragraph 0054).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the request to include a selected delivery channel to distribute converted content as taught Stuppy. The motivation for the suggested combination is that Stuppy's teachings would improve the suggested system by enabling an instructor to interactively communicate with students individually to provide assistance on an individual basis.

As per claim 21, Crook teaches the method of claim 1, wherein the corresponding associated format to which to convert the associated content item is external to the content item (Paragraph 0022. Convert document to HTML using HTML codes.).

As per claim 22, Crook teaches the method of claim 1, wherein the corresponding associated format indicates a file format to which to convert an associated content item (Paragraph 0022. HTML codes for HTML document.).

As per claim 23, Crook does not specifically teach the method of claim 1, wherein converting includes translating text of a content item to the specified translated language when the specified human language differs from the language of the text of the content item.

Stuppy teaches of translating text of a content item to the specified translated language when the specified human language differs from the language of the text of the content item (Paragraphs 0067).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to translate text of a content item to the specified translated language when the specified human language differs from the language of the text of the content item. The motivation is that Stuppy's teachings would improve Crook's system by providing customized material to each student

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based on each of the student's profile and enabling a teacher to individually interact with students over a communication channel (Paragraph 0015).

As per claim 24, Crook teaches the method of claim 12, wherein the correspondent associated format to which to convert the associated content item is external to the content item (Paragraph 0022. Convert document to HTML using HTML codes.).

As per claim 25, Crook teaches the method of claim 12, wherein the corresponding associated format indicates a file format to which to convert an associated content item (Paragraph 0022. HTML codes for HTML document.).

As per claim 26, Crook does not specifically teach the method of claim 12, wherein converting includes translating text of a content item to the specified translated language when the specified human language differs from the language of the text of the content item.

Stuppy teaches of translating text of a content item to the specified translated language when the specified human language differs from the language of the text of the content item (Paragraphs 0067).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to translate text of a content item to the specified translated language when the specified human language differs from the language of the text of the content item. The motivation is that Stuppy's teachings would improve Crook's system by providing customized material to each student based on each of the student's profile and enabling a teacher to individually interact with students over a communication channel (Paragraph 0015).

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Claims 3 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crook, Stuppy, and Ladd, in view of Rachman et al. US Publication #2002/0182578 (Rachman hereinafter).

As per claim 3, Crook teaches the method of claim 1, wherein preparing the associated content items for conversion comprises customizing the associated content items (Paragraph 0063. Select design for the material. Paragraphs 0021; 0025. Prepare document comprising formatting codes including special codes) but not specifically by specifying a valid identifier that is required to access and present each deliverable at each presentation client.

Rachman teaches an online course system, wherein a teacher or administrator specifies a valid identifier that is required to access and present content to each client (Paragraphs 0096; 0106).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to specify a valid identifier that is required to access and present deliverable at each presentation client. The motivation for the suggested combination is that Rachman's teachings would improve the suggested system by enabling only authorized users to access the system.

As per claim 14, Crook teaches the method of claim 12, wherein preparing the associated content items for conversion comprises customizing the associated content items (Paragraph 0063. Select design for the material. Paragraphs 0021; 0025. Prepare document comprising formatting codes including special codes) but not specifically by specifying a valid identifier that is required to access and present each deliverable at each presentation client.

Rachman teaches an online course system, wherein a teacher or administrator specifies a valid identifier that is required to access and present content to each client (Paragraphs 0096; 0106).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to specify a valid identifier that is required to access and present deliverable at

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each presentation client. The motivation for the suggested combination is that Rachman's teachings would improve the suggested system by enabling only authorized users to access the system.

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/J. J./

Examiner, Art Unit 2454

/NATHAN FLYNN/

Supervisory Patent Examiner, Art Unit 2454